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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,427	11/13/2003	Eric Sprunk	D03045	9955
43471	7590	02/13/2008	EXAMINER	
Motorola, Inc. Law Department 1303 East Algonquin Road 3rd Floor Schaumburg, IL 60196			HOFFMAN, BRANDON S	
			ART UNIT	PAPER NUMBER
			2136	
			NOTIFICATION DATE	DELIVERY MODE
			02/13/2008	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Docketing.Schaumburg@motorola.com  
APT099@motorola.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/712,427	<b>Applicant(s)</b> SPRUNK, ERIC	
	<b>Examiner</b> Brandon S. Hoffman	<b>Art Unit</b> 2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 November 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 and 24-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 and 24-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 1-19 and 24-28 are pending in this office action, claims 20-23 are canceled.
2. Applicant's arguments, filed November 13, 2007, have been considered and are persuasive. However, a new ground of rejection is made.

#### *Claim Rejections*

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

#### *Claim Rejections - 35 USC § 102*

4. Claims 1, 2, 4-9, 11-19, and 24-28 are rejected under 35 U.S.C. 102(a/e) as being anticipated by Komuro et al. (U.S. Patent No. 7,177,427).

Regarding claims 1, 6, 7, 10, 12, 13, 16, 17, 24, and 26-28, Komuro et al. teaches a method/encoder/decoder/computer-readable **medium** content transport system, comprising:

- A selector for selecting blocks to be encrypted as secured blocks (fig. 5A, ref. num 412);

- A secure block multi-encryptor, for encrypting said secured blocks for each of a plurality of classes of destination systems, thereby forming a plurality of encrypted secured block sets, such that an encrypted secured block set is decryptable by destination systems in the class associated with that encrypted secure block set (fig. 5A, ref. num 418 and 420);
- A combiner for combining unsecure blocks and secure blocks into a common stream (fig. 5A, ref. num 422);
- A demultiplexer for separating said common stream into blocks that are usable by a destination system and blocks that are not usable by the destination system (fig. 5A, ref. num 442);
- A selective decryptor that decrypts usable secured blocks **for each class, thereby forming decrypted secure block sets for the plurality of classes of the destination systems** (fig. 5A, ref. num 448 and 450); and
- A reassembler for reassembling a useful signal stream from any unsecure blocks, and said secure blocks decrypted by the selective decryptor, wherein an ability to reassemble the useful signal stream relies in part on an ability to decrypt usable secure block (fig. 5A, ref. num 454 and 456).

Regarding claim 2, Komuro et al. teaches wherein said source stream is packetized video data (fig. 1).

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Regarding claims 4, 8, 15, and 19, Komuro et al. teaches wherein encrypting/decrypting comprises encryption/decryption utilizing at least one of AES, with at least one AES key per class of destination systems, and DES, with at least one DES key per class of destination systems (col. 8, lines 11-14).

Regarding claims 5 and 11, Komuro et al. teaches wherein said blocks are MPEG blocks and said secure blocks represent MPEG I frames (col. 7, lines 20-37).

Regarding claim 9, Komuro et al. teaches further comprising providing a decryption key for said step of decrypting (fig. 5A, ref. num 452).

Regarding claims 14, 18, and 25, Komuro et al. teaches wherein the reassembler is an MPEG encoder/decoder (col. 6, lines 28-35).

***Claim Rejections - 35 USC § 103***

5. Claims 3 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Komuro et al. (USPNo. '427) in view of Clark et al. (U.S. Patent No. 5,864,747).

Regarding claim 3, Komuro et al. teaches all the limitations of claim 1, above. However, Komuro et al. does not teach further comprising encrypting unsecure blocks such that said unsecure blocks are decryptable by each of said plurality of destination systems, if authorized by at least one conditional access system.

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Clark et al. teaches further comprising encrypting unsecure blocks such that said unsecure blocks are decryptable by each of said plurality of destination systems, if authorized by at least one conditional access system (col. 6, line 63 through col. 7, line 7).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine encrypting unsecure blocks, as taught by Clark et al., with the method of Komuro et al. It would have been obvious for such modifications because the conditional access system has already authorized the device, thus ensuring the device is capable and allowed to receive encrypted content.

Regarding claim 10, Komuro et al. teaches all the limitations of claim 6, above. However, Komuro et al. does not teach further comprising discarding secure blocks of any nonnative class.

Clark et al. teaches further comprising discarding secure blocks of any nonnative class (col. 9, lines 52-64).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine discarding blocks from nonnative classes, as taught by Clark et al., with the method of Komuro et al. It would have been obvious for such modifications because discarding a packet that should not be used prevents a user from

using it.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon S. Hoffman whose telephone number is 571-272-3863. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser G. Moazzami can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Brandon Hoffman/

BH